

United States District Court
for the
Eastern District of New York

ORIGINAL
E/M

DT

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Thomas Tucker

Case Number CR 95 425

Name of Sentencing Judicial Officer: The Honorable Frederic Block, U.S. District Judge

Date of Original Sentence: March 8, 1996

Original Offense: 18 USC 1951; Robbery Conspiracy, a class C felony

Original Sentence: 135 months custody; 3 years supervised release; \$50 special assessment fee

Type of Supervision: Supervised Release

Date Supervision Commenced: March 17, 2005

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

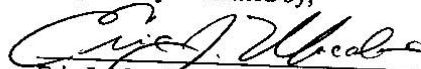
The defendant shall participate in an outpatient and/or inpatient drug treatment or detoxification program approved by the Probation Department. The defendant shall pay the costs of such treatment/detoxification to the degree he or she is reasonably able, and shall cooperate in securing any applicable third party payment, such as insurance or medicare. The defendant shall disclose all financial information and documents to the Probation Department to assess his or her ability to pay. The defendant shall not consume any alcohol or other intoxicants during and after treatment/detoxification, unless granted a prescription by a licensed physician and proof of same is provided to the Probation Department. The defendant shall submit to drug testing during and after treatment to ensure absence from drugs.

CAUSE

The offender provided a urine sample on November 11, 2005 that tested positive for cocaine. When confronted with this result, the offender disclosed the use of cocaine during early November 2005. In further discussing this issue, he agreed to participate in a substance abuse treatment program.

Based upon the aforementioned, the Probation Department respectfully requests that the conditions of release be modified to include participation in substance abuse treatment. It is noted that the releasee has agreed to this modification of sentence, as reflected in the attached "Waiver of Hearing to Modify the Conditions of Release".

Respectfully submitted by,




Eric J. Macolino

Sr. U.S. Probation Officer

Date:

Nov 29, 2005

Approved by,



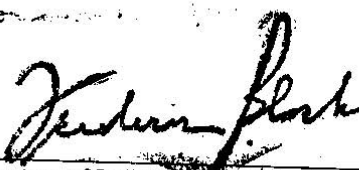
Eileen Kelly

Deputy Chief U.S. Probation Officer

Date: Nov 29, 2005

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer

Date

12/1/05

United States District Court
EASTERN DISTRICT OF NEW YORK

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and the assistance of counsel before any unfavorable change(s) may be made in my conditions of Probation and/or Supervised Release or before my period of supervision can be extended. By assistance of counsel, "I understand that I have the right to be represented at a hearing by counsel of my choosing if I am able to retain counsel. I also understand that I have the right to request that the Court appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel. "

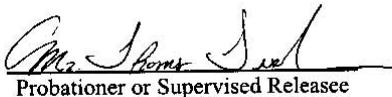
I hereby voluntarily waive my statutory right to a hearing and to the assistance of counsel. I also hereby agree to the following modification (s) of my conditions of Probation and/or Supervised Release or to the proposed extension of my term of supervision:

The defendant shall participate in an outpatient and/or inpatient drug treatment or detoxification program approved by the Probation Department. The defendant shall pay the costs of such treatment/detoxification to the degree he or she is reasonably able, and shall cooperate in securing any applicable third party payment, such as insurance or medicare. The defendant shall disclose all financial information and documents to the Probation Department to assess his or her ability to pay. The defendant shall not consume any alcohol or other intoxicants during and after treatment/detoxification, unless granted a prescription by a licensed physician and proof of same is provided to the Probation Department. The defendant shall submit to drug testing during and after treatment to ensure absence from drugs.

Witness


U.S. Probation Officer

Signed:


Probationer or Supervised Releasee

Nov. 21, 2005
Date